

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 99D.22(5), the Department of Agriculture and Land Stewardship hereby gives Notice of Intended Action to amend Chapter 62, “Registration of Iowa-Foaled Horses and Iowa-Whelped Dogs,” Iowa Administrative Code.

The requirement that 51 percent of an Iowa-registered stallion be owned by Iowa residents for purposes of determining eligibility for registration as an Iowa thoroughbred, quarter horse, or standardbred stallion was eliminated in 2014 Iowa Acts, Senate File 2185. The proposed amendments eliminate the 51 percent Iowa ownership requirement from the stallion qualification and application procedure and from the application information form. The proposed amendments also rescind the definition of “bona fide Iowa resident,” which requires a person to reside in Iowa for six months prior to the date of registration of the stallion, and eliminate related provisions.

Any interested persons may make written suggestions or comments on the proposed amendments on or before July 15, 2014. Written comments should be addressed to Margaret Thomson, Iowa Department of Agriculture and Land Stewardship, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319. Comments may be submitted by fax to (515)281-6236 or by e-mail to Margaret.Thomson@IowaAgriculture.gov.

The proposed amendments are subject to the Department’s general waiver provision.

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement 2014 Iowa Acts, Senate File 2185.

The following amendments are proposed.

ITEM 1. Rescind the definition of “Bona fide Iowa resident” in rule **21—62.1(99D)**.

ITEM 2. Amend rule **21—62.1(99D)**, definition of “Owner of a thoroughbred stallion,” as follows: “*Owner of a thoroughbred stallion,*” “*owner of a standardbred stallion*” or “*owner of a quarter horse stallion*” means ~~a bona fide Iowa resident~~ the person who owns at least 51 percent of a thoroughbred, standardbred or quarter horse stallion for one service season or more.

ITEM 3. Rescind and reserve subrule **62.10(1)**.

ITEM 4. Amend subrule 62.12(3) as follows:

62.12(3) If ~~51 percent of the new ownership is a bona fide Iowa resident(s) and~~ owner(s) wishes to qualify the stallion as an Iowa stallion, then the new owner(s) must submit an application for an Iowa Stallion Eligibility Certificate; along with a copy of the bill of sale and meet all other department requirements.

ITEM 5. Amend rule **21—62.13(99D)**, numbered paragraph “5,” as follows:

5. Statement that ~~a minimum of 51 percent of the stallion is owned by a bona fide resident(s) of Iowa, and that~~ the stallion will not stand for service any place outside the state of Iowa during the calendar year in which the foal is conceived;

ITEM 6. Rescind and reserve subrule **62.20(1)**.

ITEM 7. Amend rule **21—62.23(99D)**, numbered paragraph “5,” as follows:

5. Statement that ~~a minimum of 51 percent of the stallion is owned by a bona fide resident(s) of Iowa, and that~~ the stallion will not stand for service any place outside the state of Iowa before August 1 of the calendar year in which the foal is conceived;

ITEM 8. Rescind and reserve subrule **62.30(1)**.

ITEM 9. Amend rule **21—62.33(99D)**, numbered paragraph “5,” as follows:

5. Statement that ~~a minimum of 51 percent of the stallion is owned by a bona fide resident(s) of Iowa, and that~~ the stallion will not stand for service any place outside the state of Iowa before August 1 of the calendar year in which the foal is conceived;